Transitional Justice
INTL 352-01
Macalester College, Spring 2015, 4 credits

Instructor: Nadya Nedelsky
Time: Tues/Thurs 1:20-2:50 pm
Place: Carnegie 404
Office: Carnegie 413
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Phone: x6479
Office hours: Mondays and Wednesdays 12:30-2:30 and by appointment

This course explores the rapidly evolving field of transitional justice, examining how and why regimes respond to wide-scale past human rights abuses. Drawing on examples worldwide, it asks why states choose particular strategies and looks at a variety of goals (truth, justice, reconciliation, democracy-building), approaches (trials, truth commissions, file access, memorialization, reparation, rewriting histories), actors (state, civil society, religious institutions), experiences, results, and controversies.

Readings will be available via Moodle.

Assignments:

Overview
1. two 2-3-page response papers, on readings of your choice (7.5% each, 15% total)
2. testimony presentation/paper (10%)
3. presentation (25%)
4. research paper (30%) (due May 1)
5. participation (20%)

Detail

1. Response papers

Over the course of the semester, you will write two 2-3-page (double-spaced) response papers on readings of your choice (though not on a day when you have a presentation assignment). They are intended to help you to clarify your thoughts and to articulate questions before the discussion, so they are due on the day that we discuss the readings. These papers should identify a key element of the reading and engage with it. (2 x 7.5%)

2. Testimony paper/presentation (due on the day you sign up for during Part 3)

During Part 3 of the course, we examine different transitional justice methods via particular case studies. For each of these class periods, two or three students will bring us perspectives of different parties involved in that case. This is primarily a research and reporting exercise, where you find actual individual testimonies/statements from people who experienced the regimes/aftermaths we
are discussing and share them with the class in a way that expresses how they represent common experiences. The purpose is to contextualize our cases with humanizing details.

At least one person will frame and share testimonies from victims and/or surviving family members, and at least one person will share non-victim perspectives (this could be a perpetrator or other wrongdoer, or a bystander, broadly understood) on the alleged wrongs. If possible, please also include a sense of victim/perpetrator (whichever you focus on) experiences with the transitional justice mechanism as well. The presenters may collaborate if they wish.

(10%).

3. Presentation

During part 4 of the course, you will give a 15-minute presentation on your research topic (see assignment 5, below). It will be followed by 10-15 minutes of questions and discussion from the class. (25%)

4. Research paper

You will write a 15-to-20-page paper on a particular case study, on a problem or issue that you find especially interesting and important, and that links to the literature in this course. A more detailed prompt will be provided. (30%) Due Friday, May 1st.

5. Participation

This is not a lecture course, and your contribution is valuable. If you have trouble speaking in class, please let me know, and we will work on strategies to make it easier for you. (20%)

Grading scale:

100-94: A 89-87: B+ 79-77: C+ 69-61: D+
93-90: A- 86-83: B 76-73: C 60-59: D
82-80: B- 72-70: C- 58-55: D-

Note: Plagiarized work will not be accepted and will incur significant penalties. If you are using someone else’s ideas, words, or research, you MUST cite them properly.

Sustained engagement with the course is important. You may have 2 unexcused absences over the course of the semester. After this, absence will result in grade deduction.

Unless you have arranged an extension on a paper before the due date (and I am flexible on this, just ask me), each day late will incur a deduction of one letter grade.

Barring medical or family emergency, incompletes must be negotiated before the end of classes, and the paperwork filled out by the last day of class.

Papers must be delivered in hard copy as well as email.
Schedule: (subject to change if necessary)


**Part 1: Core concepts**

**Tues, Jan 27:** What is transitional justice?


**Thurs, Jan 29:** What is guilt? What is justice?


**Tues, Feb 3:** What is reconciliation? And how does it relate to justice?


**Part 2: Key actors**

**Thurs, Feb 5:** 4. Perpetrators


**Tues, Feb 10: Victims**


■ Jon Elster, “Victims,” in *Closing the Books*.


**Thurs, Feb 12: Bystanders**


**Part 3: Methods**

**Tues, Feb 17: Trials**

Case: Former Yugoslavia


Thurs, Feb 19: Truth commissions

Cases: Argentina, Chile, and El Salvador


Tues, Feb 24: Truth and reconciliation commissions

Case: South Africa


Thurs, Feb 26: Amnesty

Case: Uganda

- Carlos Closa, “Amnesty,” in *The Encyclopedia*.
- Chart from Amnesty Law Database, Amnesties by year.

Tues, Mar 3: Lustration/vetting

Case: Czech Republic


**Thurs, Mar 5:** File access; Guest speaker via Skype: Lavinia Stan

Cases: Romania and Germany


**Tues, Mar 10:** Reparations

Case: Japan and South Korean “comfort women”

- George Hicks, “The Comfort Women Redress Movement,” in When Sorry Isn’t Enough.

**Thurs, Mar 12:** Apology

Case: United States


**March 14-22: SPRING BREAK!**

**Tues, Mar 24:** Memorialization

Case: Cambodia


**Thurs, Mar 26:** Traditional/local methods

Case: Mozambique


**Tues, Mar 31:** Rewriting history books

Case: Guatemala


- Elizabeth Oglesby, “Historical Memory and the Limits of Peace Education: Examining Guatemala’s Memory of Silence and the Politics of Curriculum Design,” in Teaching the
Part 4: Student research

Thurs, April 2: peer research consultation

Tues, Apr 7: presentations (reading chosen/provided by students)

Thurs, Apr 9: presentations (reading chosen/provided by students)

Tues, Apr 14: presentations (reading chosen/provided by students)

Thurs, Apr 16: presentations (reading chosen/provided by students)

Tues, Apr 21: presentations (reading chosen/provided by students)

Thurs, Apr 23: presentations (reading chosen/provided by students)

Tues, Apr 28: presentations (reading chosen/provided by students)

Thurs, Apr 30: LAST DAY OF CLASS!

Fri, May 1: research paper due by email and in paper copy (in International Studies office) by 4:00 pm